

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application.

#### **Listing of Claims**

1. (Currently Amended) A heat insulating container comprising a container body having a bottomed tubular shape and an outer shell that is formed by a foamed resin sheet having heat shrinkability and covers a peripheral wall of the container body with a space created between the peripheral wall and the outer shell, the outer shell including a tubular portion disposed opposite to the peripheral wall of the container body and an annular portion extending from an opening edge of a lower end of the tubular portion towards the inside of the tubular portion, and the annular portion having a distal end and a proximal end, in which the distal end is located farther from an inner peripheral surface of the tubular portion than the proximal end is, and wherein the annular portion is formed so as to have the distal end with a space to a bottom portion of the container body so that gas within the space is communicated with the outside via a lower end opening of the tubular portion.

2. (Original) The heat insulating container according to claim 1, wherein the outer shell includes a horizontal annular extension that extends from the distal end of the annular portion towards the center of the tubular portion.

3. (Cancelled)